SPECIAL MASTER'S RECOMMENDED CONSTRUCTIONS PATENT NO. 7,051,147

Term	Special Master's Recommended Construction
Device	No Construction Necessary.
Configuration	No Construction Necessary.
Access control(s)	"Controls which limit a device's access to a specific subset of storage devices or sections of a single storage device according to a map."
Allow accessto the remote storage devices using native low level, block protocol.	"Permit or deny access using the NLLBP of the Virtual Local Storage without involving a translation from high level network protocols or file system protocols to a native low level block protocol request."
Initiator Device	"A device that issues requests for data or storage."
Native low level block protocol (NLLBP)	"A set of rules or standards that enable computers to exchange information and do not involve the overhead of high level protocols and file systems typically required by network servers."
Workstation	"A computer having input/output devices intended for use by humans."
Control Access	"To limit a device's access to a specific subset of storage devices or sections of a single storage device according to a map."

	Special Master's Construction		No Construction Necessary.														÷										
Terms	Defendants' Evidence		See '035 patent, claim 1.						5											-							
Special Master's Proposed Construction of Disputed Terms	Defendants' Proposed	States Patent No. 7,051,147	Device:	Computer.							-																
oposed		Pat		.:	-73	2	e wed				, 7,		es		Ð			Ę	TIIK	\$		ų,	s is	sess	rage		37-39
special Master's Pr	Crossroads' Fyidence	United States	Device:	Intrinsic:	Claim 1, ¹ Col. 9, 11. 27-	30 ("devices" refers to	the devices that make requests and are allowed	access to storage	devices).	0.1.1.1.0	Col. 1, 11. 36-3 /; Col. 2, 11. 4-5: Col. 4 - 11. 55-56:	Col. 8, 11. 65-68 (the	specification describes	the devices that make	requests to access the	storage devices as	"computing devices")	Col 1 11 57-60 ("from	the nersnective of a	workstation, or other	computing device,	seeking to access such	server data, the access is	much slower than access	to data on a local storage	·	Claim 3, Col. 9, II. 3
Special Master's Pr	Crossroads' Proposed Crossroads'	United	Device: Device:	hat	requests." Claim 1, Col. 9, II. 2	30 ("devices" refers	the devices that mak requests and are allo	access to storage	devices).		Col. 1, 11. 36-3 /; Col 11. 4-5: Col. 4, 11. 55-	Col. 8, 11. 65-68 (the	specification describ	the devices that mak	requests to access th	storage devices as	"computing devices	7-11 11 57-60 ("F"	COI. 1, II. 3/-00 (II. the nerspective of a	workstation, or othe	computing device,	seeking to access suc	server data, the acces	much slower than ac	to data on a local sto		=

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United States Patent No. 6,425,035 ("the '035 Patent") and United States Patent No. 7,051,147 ("the '147 Patent") share a common specification. To facilitate cross-referencing, unless noted otherwise, all Col. Line cites in the charts of proposed claim constructions are to the '035 Patent.

² For this and other claim terms common to both the '035 and '147 patents, the parties have not identified any evidentiary issues that are different between the two patents. Therefore, for the sake of brevity and clarity, Defendants avoid repetition of issues addressed in detail in the '035 chart.

Special Master's Proposed Construction of Disputed Terms		(principles of claim	differentiation require	must necessarily be	broader than	"workstations").	Col. 6, 11. 31-41, 46-56	(the specification	describes "servers" as a	type of computing	device that can make	storage access requests).	Abstract. Col. 1. II. 21-	_	3-6, 41-43; Col. 4, 11. 38-	45-55; Col. 8, 11. 65-68	(devices is used	various computing	devices such as	workstations,	input/output devices,	"initiator" and "target"	devices).	April 6, 2005 Reply to	Office Action at 8, 10,	12, 22, Fore Decl. ISO	Crossroads' Post-Hr'g	CI. Const., Ex. E; July	A 1.1
is	osed																												
	Actual Claims Language																												

		Special Master's Proposed Construction of Disputed Terms	Construction of Disputed 1	[erms	
Actual Claims	osed	Crossroads'	Defendants' Proposed	Defendants'	Special Master's
Гапguage	Construction	EVIGENCE	Cousti action	EVIDENCE	Consti action
		Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const. Br., Ex. F	-		
		("Device" is used over			
		ninety times in the			
		reexamination			-
		prosecution history to			
		refer to types of devices			
		canable of making			
		authors of manning			
		requests for storage).			
		Letrinoid			
		EAU IIISIC.			
		April 28 2011 2d Supp			
		Dr. D. ¶ 4 (one of			
		ordinary skill would			
		understand that in the			
		embodiments at Col 6			
		11. 33-41: 46-56. it is the			
		server that sends			
		requests for storage			
		access to the storage			
		router using NLLBP).			
		Ille McOlaw-nill			
		Descend Committees 126			
		(Ath ad 1005) Fore Deci			
		(+ ed. 1993), Fole Dect.			
		Const. Br.: Ex. W			
		(defining device as "a			
		mechanical, electrical or			
		electromechanical			
		contrivance or appliance.			
		Commonly used in			
		reference to peripherals			

Actual Clains Crossroads' Proposed Crossroads' Defendants' Special Master's Language Construction such as printers, CRTS Language Construction Evidence Construction Such as printers, CRTS High Ta. 202.234. 2003. 202.247. Mat. 8. 2003. 202.247. Mat. 9. 2004. Connection of the connection of the records access to storage administrative software administrative software administrative software administrative software and six draws and disk draws. Percentage of the records and six draws and disk draws and disk draws are sources. So the records and second for choosing administrative software and six draws and disk draws. Percentage of the records and six draws and disk draws. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources. Percentage of the records and six draws are sources.		S	Special Master's Proposed	Proposed Construction of Disputed Terms	Terms	
	Actual Claims Language		Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
Hr g Tr. at 202.24. 2011 (Defondants Mar 8, 2011 (Defondants accounsel agreeing that the defining characteristic of a device is that it is the thing that issues storage request. May 11, 2011 3d Supp. Device 1, of lo In Levy. Ph.D., \$13 et "network server" is a server that can request access to storage). Microsoft Computer Wicrosoft Computer Deficientary 430 (31 Ed. 1997), May 11, 2011 3d Supp. Decl. of 10 had a can request access to storage). Wicrosoft Computer Defoniting "server" as "(1 fold a server" (1 fold a server" (1 fold a server" (1 fold a server" (1 fold a server" as "(1 fold a server" as a computer runting accounted are at the server and its factors, and provides resources to computers functioning as printers and disk drives, and quoydes resources to computers functioning as a constraint on the server and			such as printers, CRTS and disk drives").			
203:3, 205.4, And 8, 203:3, 205.4, And 8, 203:3, 205.4, And 8, 203:4, 205.4, And 8, 203:4, 205.4, And 8, 203:4, 205.4, And 8, 203:4, 205.4, 203:4, 205.4, 203:4, 20						
countries are agreeing that the defining characteristic of a device is that it is the thing that issues storage requests). May 11, 2011 3d Supp. Decl. of John Lewy, Ph.D., 3f of "network server" is a server that carrequest access to storage. Microsoft Computer Dictionary 430 (3d Ed. 1947), May 11, 2011 3d Supp. Decl. of John Lewy, M.D., Ex. A (defining "server" as server that controls access to the network and its resources storage administrative software that controls access to the network and its resources to computer running administrative software that control is accounted. By the network and its resources to computer shorted seasonces to computer and official seasonces to computer should seasonces to computer shorted seasonces to seasonces to computer shorted seasonces to seasonces to computer shorted seasonces to seasonces to seasonces to seasonces to seasonces to computer shorted seasonces to seasonc			Hr'g Tr. at 202:24- 203:3, 205:4-7, Mar. 8.	-		
counsed gaseering that the defining characteristic of a device is that it is the thing that issues storage requests. May 11, 2011 3d Supp. Decl. of John Levy, Ph.D. it a "entertorix server" is a servet that can request access to storage. Microsoft Computer Dictionary 420 6d Ed. 1997), May 11, 2011 3d Supp. Decl. of John Levy, Ph.D., Ex. A [defining "server" as "(1) on a local area network (L.A.A), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning set workstations on the			2011 (Defendants'			
defining that issues storage requests). May 11, 2011 3d Supp. Dec. of John Levy. Ph.D., ¶3 (a "network server" is a server that can request access to storage). Microsoft Computer Dictionary 430 (3d Ed. 1997), May 11, 2011 3d Supp. Decl. of John Levy. Ph.D., Ex. A (defining "server" as networ (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning server and sworkstations on the			counsel agreeing that the			
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May 11, 2011 3d Supp. Decl. of John Levy, Ph.D., § 3f, "rework server" is a server that can request access to storage). Microsoft Computer Dictionary 430 (3d Ed. 1997), May 11, 2011 3d Supp. Decl. of John Levy, Ph.D. Ex. A (defining "server" as "(1) on a local area network (1.0 N), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning server serverses to computer functioning	-		a device is that it is the			
May 11, 2011 3d Supp. Decl. of John Levy, Ph.D., ¶3 (a "network server" is a server that can request access to storage). Microsoft Computer Dictionary 430 (3d Ed. 1997), May 11, 2011 3d Supp. Decl. of John Levy, Ph.D., Ex. A (defining "server" as "(1) on a local area network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the			requests).			
May 11, 2011 3d Supp. Decl. of John Lady, Ph.D., ¶5 (a"retwork server" is a server that can request access to storage). Microsoft Computer Dictionary 430 (3d Ed. 1997), May 11, 2013 3d Supp. Decl. of John Levy, Ph.D., Ex. A (defining" server" as "(1) on a local area network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provider secontres to computers functioning as workstations on the						
Duet, of Jain Lewy, Ph.D., ¶3 (a "hetwork server" is a server that can request access to storage). Microsoft Computer Dictionary 91, 2013d Supp. Decl. of John Lewy, Ph.D., Ex. A (defining "server" as "(1) on a local area network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning sea workstations on the			May 11, 2011 3d Supp.			
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Microsoft Computer Microsoft Computer Dictionary 430 (3d Ed. 1997), May 11, 2011 3d Supp. Decl. 61 John Levy, Ph.D., Ex. A (defining "server" as "(1) on a local area network (LAN), a computer running administrative software that cortrols access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the as workstations on the			riD., 3 (a lietwork	*.		
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Levy, Ph.D., Ex. A (defining "server" as "(1) on a local area network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the						
(defining "server" as "(1) on a local area network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as wonguters functioning as weather and the computers functioning as well as the computers function as the computer			Levy, Ph.D., Ex. A			
network (LAN), a computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as woward)			(defining "server" as			
computer running administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the			network (LAN), a			
administrative software that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the			computer running			
that controls access to the network and its resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the			administrative software			
resources, such as printers and disk drives, and provides resources to computers functioning as workstations on the			that controls access to			
printers and disk drives, and provides resources to computers functioning as workstations on the			resources, such as			
and provides resources to computers functioning as workstations on the			printers and disk drives,			-
to computers functioning as workstations on the			and provides resources			
tions		-	to computers functioning			

struction of Disputed Terms	Defendants'Special Master'sConstructionEvidenceConstruction		"Map"; otherwise '147 patent claims 1, 9, indefinite. 10, 34, 35 ("a configuration maps") '147 patent claims 15, 22, 29 ("a configuration wherein the configuration includes [the][a] map") 2:20-23³ ("The configuration maps") 4:13-16 5:50-53
Special Master's Proposed Construction of Disputed Terms	Crossroads' De Evidence	's Report s Cl P-15 sly age age ta vice that integrate 's or tto a k").	Intrinsic: Col. 2, II. 19-23; Col. 5, II. 53-54; Col. 6, II. 58- 64 (describing "configuration" as information used to control operation of the storage router and which is modifiable). '147 Patent: Col. 2, II. 28-32; Col. 9, II. 36-41 ("configuration" can also include mapping information and additional information,
1S	Crossroads' Proposed Construction		"A modifiable setting of information."
	Actual Claims Language		controller operable to connect to and interface with a second Fibre Channel transport medium; and a supervisor unit coupled to the first and second Fibre Channel controllers and the buffer, the supervisor unit operable: to maintain a configuration for remote storage devices connected to the second Fibre Channel transport medium that maps between the

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³ As in the claim construction briefs previously submitted to the Court, all specification citations are to the '035 patent unless otherwise noted.

Special Master's Construction											-					-								"Controls which limit a	device's access to a	specific subset of storage	devices or sections of a single storage device	according to a map."
Ferms Defendants' Evidence																								See '035 patent, claim 1.				-
Construction of Disputed ' Defendants' Proposed Construction																							in the second se					
~																												
special Master's Proposed Crossroads' Evidence	access controls").	Claim 15, Col. 11, 11. 23-	28 (the limitation "onerable to maintain a	configuration wherein	the configuration	includes a map"	would be meaningless	under Defendants'	proposed construction).	Extrinsic	Chaparral Markman	Order at 16, Fore Decl.	ISO Crossroads' CI.		to construe "maintain a	configuration" to mean	"keeping a modifiable	February 22, 2011 Decl.	of John Levy, Ph.D., ¶46	(person of ordinary skill	would understand	configuration" to mean	"keeping a modifiable set of information")	Access control(s):		Intrinsic:	=	Col. 4, II. 7-27, 33-35,
Special Master's Proposed Construction of Disputed Terms Crossroads' Proposed Crossroads' Proposed Construction Cons	access c	Claim 15, Col. 11, II. 23-	28 (the limitation "onerable to maintain a	configuration wherein	the configuration	includes a map"	would be meaningless	under Defendants'	proposed construction).	Extrinsic:	Chaparral Markman	Order at 16, Fore Decl.	150 Crossroads CI.	to earlier action agreed	to construe "maintain a	configuration" to mean	"keeping a modifiable	February 22, 2011 Decl.	of John Levy, Ph.D., ¶46	(person of ordinary skill	would understand	configuration" to mean	"keeping a modifiable set of information")	Access control(s): Access control(s):		iit a	e Fig. 3, Col. 3, ll	•

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		C	ase	э 1	:1() - c	√- (90 0	65 ;	2 - S	S	–D	oc	um	ner	1t 1	67	7-7	•	Fil	ed	-08	/10)/1	1—	Pa	ge	8	of-	20		
	Special Master's Construction					-										-																
erms	Defendants' Evidence												-						-					-		-						
roposed Construction of Disputed Terms	Defendants' Proposed Construction																															
Special Master's Proposed (Crossroads' Evidence	40-43, 48-50, 50-53 (Fig. 3 shows	embodiment in which all	workstations can access	global storage device).	0.01 1 11 7 11 ("0.00000	Col. 4, 11. / -11 (access	controls applies to	snared storage).	July 22, 2005 Reply to	Office Action at 13-14,	Fore Decl. ISO	Crossroads' Post-Hr'g	Cl. Const. Br., Ex. F	(discussion during	reexamination, that the	access collinois learnie	allowing multiple	devices to have access to	shared storage).		Extrinsic:		Chaparral Markman	Order at 3-7, 13, Fore Decl. ISO Crossroads'	Cl. Const. Br., Ex. L	(Crossroads,	construction parallels	historic construction; the	invention contemplates	an entire storage device as well as shared	storage; Court has
S	Crossroads' Proposed Construction	single storage device according to a map."																							-							
	Actual Claims Language	to maintain a configuration for	remote storage devices	connected to the	second Fibre Channel	transport medium that	darion and the namete	device and the remote	that implements access	controls for storage	space on the remote	storage devices;											-									

	n	Special Master's Proposed	Special Master's Proposed Construction of Disputed Terms	Terms	
Actual Claims Language	Crossroads' Proposed	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
Agangan		rejected a construction in which a particular subset			
		of storage could only be			
		accessed by a single			
		workstation).			
		Comments on Statement			
		of Reasons for			
		Patentability and/or			
		Confirmation, Fore Decl.			
		Ex I (natentees			
		expressly disagreed with			
		any characterization of			
		the claims that were			
		"inconsistent with the			
		claim language,			-
		specification or prior			
		prosecution history.").			
				-	
and to process data in	Allow access to the	Allow access to the	Allow accessto the	See '035 patent, claim 1.	"Permit or deny access
the buffer to interface	remote storage devices	remote storage devices	remote storage devices	1	using the NLLBP of
between the first Fibre	using native low level,	using native low level,	using native low level,		the Virtual Local
Channel controller and	block protocol:	block protocol:	block protocol:		Storage without
the second Fibre	;		:		involving a translation
Channel controller to	"Permit or deny reading	Intrinsic:	Permit reading and		from high level
allow access from	or writing of data using	Ei. 1 Col 1 11 40 54.	writing of data in the		network protocols or
doctions to the nemote	Vigginal I and States	Col 3 11 17 23 (the	native tow tevel, other		file system protocols
storage devices using	without involving a	"storage router" of the	device, without		to a native low level
native low level, block	translation from a high	invention is contrasted	involving network		block protocol
protocol in accordance	level file system	with a "network server"	servers, Ethernet		request."
with the configuration.	command to a native low	that allowed access to	networks, higher-level		
	level, block protocol	storage devices by	protocols such as		
	request."	translating high level file	TCP/IP, Ethernet		
		system commands of the	protocols, network		

sputed Terms	osed Defendants' Special Master's Evidence Construction	stem ution o			HIEG OO/ I O/ I I Hage	
Special Master's Proposed Construction of Disputed Terms	Crossroads' Defendants' Proposed Evidence Construction	"network protocol" into low level requests (i.e., NLLBP) and sending the NLLBP to the physical storage devices).	Claim 1, Col. 9, Il. 13-30 (storage router "allow[s] access from devices connected to the first transport medium to the storage devices using	protocols" (emphasis added); the storage router, specifically, the supervisor unit within the storage router, "uses" the NLLBP to permit or enable access).	Col. 4, Il. 7-47 (invention of patents-insuit provides "virtual local storage" that appears to a workstation as local storage, and appears to have the same characteristics of local storage.	Col. 4, Il. 44-57 ("virtual local storage" is "provided" by the storage router in a manner that is transparent to the
S	Crossroads' Proposed Construction					
	Actual Claims Language					

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Construction	Evidence devices requesting storage access). Col. 5, II. 11-17, II. 24- 27 (supervisor unit within the storage router processes NLLBP requests from the devices to access permitted storage). Abstract; Col. 2, II. 12- 15, 17-20, 24-27; Col. 3, II. 59-63; Col. 3, II. 51- 53; Col. 4, II. 2-6; Col. 5, II. 1-5; Col. 9, II. 28-31; Col. 10, II. 9-11 (specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers).	Crossroads' Defendants' Proposed Evidence Construction devices requesting storage access). Col. 5, II. 11-17, II. 24- 27 (supervisor unit within the storage router processes NLLBP requests from the devices to access permitted storage). Abstract; Col. 2, II. 12- 15, 17-20, 24-27; Col. 3, II. 59-63; Col. 3, II. 51- 55; Col. 9, II. 28-31; Col. 10, II. 9-11 (specification discloses that NLLBPs are used by, and at, the storage router to allow access). Col. 6, II. 33-41, 46-56 (specification describes two embodiments wherein "devices" making the storage access request are servers).	Evidence	Special Master's Construction	Case i iu-cv-uuooz-55 Document io7-7 Filed uo/ iu/ ii Page
	Col. 1, Il. 57-60 ("from the perspective of a workstation, or other computing device, seeking to access such server data, the access is much slower than access				11-01-20

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	8	pecial Master's Proposed	Special Master's Proposed Construction of Disputed Terms	erms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		to data on a local storage device ").			
	-	Claim 3, Col. 9, II. 37-39			
		differentiation require			
		"devices," as a group,			
		must necessarily be			
		broader than			
		"workstations").			
		Col 3 11 17-23 (the			
		"network protocol" used			
		by the prior art "network			
		to storage devices is a			
		protocol that includes a			
		high level file system			
		command that must be			
		translated into low level			
		storage requests).			
		Office Action at 10-11			
		Fore Decl. ISO			77
		Crossroads' Post-Hr'g			
		Cl. Const. Br., Ex. E;			
		July 22, 2005 Reply to			
		Office Action at 24-27,			
		Fore Decl. ISO			
		Crossroads' Post-Hr'g			
		Cl. Const. Br., Ex. F			
		(Crossroads			
		distinguished Petal,			
		Spring and Oeda as			
		maying a server unar			-
		provided controlled			

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	S	Special Master's Proposed	s Proposed Construction of Disputed Terms	rms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		networks, Ethernet or TCP/IP).			
		Col. 2, II. 17-20; Col. 5,			
		11. 19-22, 50-57, 60-63;			
		Patent, Claim 1, Col. 9,			
		II. 28-32 (disclosing and			
		claiming embodiments			
		using Fibre Channel; the			
		inclusion of "without			
	:	involving network			
		protocols" according to			
		Defendants' expert			
		would prohibit the use of			
		Fibre Channel despite			
		the fact that these are			
		express embodiments).			
		Col. 5, Il. 53-56 (Fibre			
		Channel is a protocol		-	
,		used for communications			
		over "Fibre Channel			
		based networks").			
		Extrinsic:			
		March 7 2011 Supp			
		Ph.D. ¶ 9-13 (data			
		understood as having			
		layers; when TCP/IP and			
		Ethernet protocols were			
		used by prior art systems			
		to transport high level			
		network file system			

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	92	Special Master's Proposed	s Proposed Construction of Disputed Terms	rms	
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction
		requests, a network			
		server would translate			
		such requests into low			
		storage); ¶6-7 (prior art			
		"server" described in			
		patents-in-suit was			
		specifically a device that			
		allowed access between			
		the device requesting			
		"access to data" and the			
		storage devices using			
		something called a			
		"network protocol"; such			
		"servers" implemented			
		file systems and received			
		protocols from devices		-	
		requesting data access).			
		April 28, 2011 2d Supp.		-	
		Decl. of John Levy,			
		Fn.D., 14 (person of			
		Understand that the			
		specification discloses a			
		server that sends			
		requests for storage		-	
	-	access to a storage router			
		using NLLBP).			
		-			
		May 11, 2011 3d Supp.			
	-	Decl. of John Levy,			
		server" is a server that			
		can request access to			
		storage).			

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	91	special Master's Proposed	Special Master's Proposed Construction of Disputed Terms	erms		
Actual Claims Language	Crossroads' Proposed Construction	Crossroads' Evidence	Defendants' Proposed Construction	Defendants' Evidence	Special Master's Construction	
		Microsoft Computer				
		Dictionary 430 (3d Ed.				
		1997), May 11, 2011 3d				_
		Supp. Decl. of John				
		Levy, Ph.D., Ex. A				<u>U=</u>
		(defining "server" as				<u> </u>
		"(1) on a local area	,			
		network (LAN), a				٠.,
		computer running				عد
		administrative software				
		that controls access to				
-		the network and its				
		resources, such as				
		printers and disk drives,				-
		and provides resources			·	
		to computers functioning				
		as workstations on the				
		network").				
		Special Master's Report				
		at 22, Dot Hill				
		Litigation, Pl.'s Cl.				-
		Const. Hr'g Ex. P-15				
		(Court previously				/
		construed "storage				<i>J</i> /_I
		router" as "a data				_
		transmitting device that				_
		allows users to integrate				cié
		different servers or				,-
		workstations into a				
		storage network").				
	-	Hr'g Tr. 76:4-10, 82:20-				
		23, March 8, 2011 (in				
		hypothetical network of	·			
		Graphic 2 of Defendants'				

	Special Master's Construction																										•								
Terms	Defendants' Evidence																																		
Construction of Disputed	Defendants' Proposed Construction																			-						-	-							-	
Special Master's Proposed Construction of Disputed Terms	Crossroads' Evidence	Markman Demonstratives (Fore	Decl. ISO Pl's Post-Hr'g	workstation sends high	level file systems	commands to network	server); Id. at 200:2-5,	201:22-24, 202:24-203:3	(Defendants expressly	stated that a "device" is a	"computer" that is both	"reading or writing data	from a storage device"	and sending NLLBPs	and the only "device"	that does so in Graphic	2, shown in Crossroads'	Post-Hearing Brief is the	"network server").		Crossroads' Concise	Statement of	Infringement, Dot Hill	Litigation (Case No. A-	03-CV-754 SS), Fore	Decl. ISO Pl.'s Post-Hr'g		April 28, 2011 2d Supp.	Decl. of John Levy,	Ph.D., ¶5 (accused	devices in Dot Hill	litigation were designed	to be used in	hypothetical system	shown in Graphic 2 of
91	Crossroads' Proposed Construction																						-												
	Actual Claims Language																								-										

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Special Master's Proposed Construction of Disputed Terms	Crossroads'Defendants' ProposedDefendants'Special Master'sEvidenceConstruction	Demonstratives (Fore Decl. ISO Pl's Post-Hr'g Cl. Const. Br., Ex. J)).	Hr'g Tr. at 81:12-15, March 8, 2011 (all	Petal, Spring and Oeda references disclose	systems with a "server" interposed between workstations and	storage devices); <i>Id.</i> at 88:2-89:16; 93:4-7;	100:16-24 (Defendants agree that the "translation".	distinguished by patentees during	reexamination was from high level file system commands into NLLBP	requests); Id. at 89:11-16 (parties agree that	"allowing access using NLLBP" occurs	without a translation from a high level file	system command to a NLLBP request); Id. at	91:14-16, 92:1-5, 152:4- 7 (Defendants concede		the Oeda, Petal and Spring references
Special	Crossroads' Proposed Construction		Hr'g T March	Petal, refere	system interpo	storag 88:2-8	100:10 agree "###################################	disting	reexar high le	reques (partie	"allow using	withou from s	system NLLB	91:14- 7 (Def	that the protoc	the Oe Spring
	Actual Claims Language															

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	Special Master's Construction	Case 1, 10-cv-00032-33 Document	107-7 Filed Vov IV/ I Fage 19 VII 2V
	Defendants' Evidence		
uted Terms			
Construction of Dispu	Defendants' Proposed Construction		
Special Master's Proposed Construction of Disputed Terms	Crossroads' Evidence		March 7, 2011 Decl. of Brian Berg, ¶37 (Defendants' expert uses term "network protocol" broadly such that it would include Fibre Channel). April 28, 2011 2d Supp. Decl. of John Levy, Ph.D., ¶3 (a workstation gets "access to the local storage device through native low level block protocols"). Hr'g Tr. at 129:7-13, March 8, 2011 (Defendants agreed to remove "without
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	Special Master's Construction																					
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ster's	ssroads'	Ethernet Ethernet TCP/IP" fro	osed	Decl. of	and TCP/I	are concer		22, 2011 Decl.	used" by the	uter to allo he NLLBP	rom the	P appropri	ot the NLL	age device data).	of Compu	et Terms 3	Pl.'s Cl.	, Ex. S 'native" as	or a specifi	or soltware int (rather 1	tibility wit	eise)).
al Master's	Crossroads' Evidence	olving Ethern works, Ethernet tocols, TCP/IP"	r proposed	1 Supp. Decl. of	nemet and TCP/I	tocols are concer	ssages).	ruary 22, 2011 D	LBP "used" by the	age router to alloess is the NLLBP	t to it from the ice: this NLLBP	NLLBP appropri	age, not the NLL	he storage device ing the data).	tionary of Compu	Internet Terms 3	1. ISO PI.'s CI.	ist. Br., Ex. S fining "native" as	igned for a specifi	ironment (rather	compatibility wit	ieming eise) j.
Special Master's Proposed Construction of Disputed Terms		involving Ethernet networks, Ethernet protocols. TCP/IP" from	their proposed	2011 Supp. Decl. of Iohn I evy Ph D 113	(Ethernet and TCP/IP	protocols are concerned only with delivery of	messages).	February 22, 2011 Decl. of Lohn Levy Ph D. 434	(NLLBP "used" by t	storage router to allow access is the NLLBP	sent to it from the device: this NLLBP is	the NLLBP appropriate	storage, not the NLLBP	of the storage device storing the data).	Dictionary of Computer	and Internet Terms 311 (6th Ed. 1996) Fore	Decl. ISO Pl.'s Cl.	Const. Br., Ex. S (defining "native" as "1	designed for a specific	environment (rather than	for compatibility with	sometning eise)).
Special Master's		involving Ethern networks, Ethernet protocols. TCP/IP"	their proposed	2011 Supp. Decl. of Iohn I evy Ph D.	(Ethernet and TCP/I	protocols are concer	messages).	February 22, 2011 D	(NLLBP "used" by t	storage router to allo access is the NLLBP	sent to it from the device: this NLLBP	the NLLBP appropri	storage, not the NLL	of the storage device storing the data).	Dictionary of Compu	and Internet Terms 3	Decl. ISO PI.'s CI.	Const. Br., Ex. S (defining "native" as	designed for a specifi	environment (rather	for compatibility wit	something else)).
Special Master's		involving Ethern networks, Ethernet protocols. TCP/IP"	their proposed	2011 Supp. Decl. of John Leyv Ph.D.	(Ethernet and TCP/I	protocols are concer	messages).	February 22, 2011 D	(NLLBP "used" by t	storage router to allo access is the NLLBP	sent to it from the device: this NLLBP	the NLLBP appropri	storage, not the NLL	of the storage device storing the data).	Dictionary of Compu	and Internet Terms 3	Decl. ISO PI.'s Cl.	Const. Br., Ex. S (defining "native" as	designed for a specifi	environment (rather 1	for compatibility wit	someting eise)).
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Special Master's	Crossroads' Proposed Construction	involving Ethern networks, Ethernet protocols. TCP/IP"	their proposed	2011 Supp. Decl. of Iohn I evv. Ph D.	(Ethernet and TCP/I	protocols are concer	messages).	February 22, 2011 D	(NLLBP "used" by the	storage router to allo access is the NLLBP	sent to it from the device: this NLLBP	the NLLBP appropri	storage, not the NLI	of the storage device storing the data).	Dictionary of Compu	and Internet Terms 3	Decl. ISO PI's CI.	Const. Br., Ex. S (defining "native" as	designed for a specifi	inaldware of Soltware of Soltware environment (rather in the soltware in the soldware in the s	for compatibility wit	something else)).
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Special Master's	Crossroads' Proposed Construction	involving Ethern networks, Ethernet networks, Ethernet protocols. TCP/IP"	their proposed	2011 Supp. Decl. of Iohn I evy. Ph.D.	(Ethernet and TCP/	protocols are concer	messages).	February 22, 2011 D	(NLLBP "used" by the	storage router to allo access is the NLLBP	sent to it from the device: this NLLBP	the NLLBP appropri	storage, not the NLI	of the storage device storing the data).	Dictionary of Compu	and Internet Terms 3	Decl. ISO PI's CI.	Const. Br., Ex. S (defining "native" as	designed for a specifi	inardware of software of softw	for compatibility wit	someting else)).
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